

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 45:120

Contact Person: Sara Janes

Phone: 502-782-2709

Email: sara.janes@ky.gov

Subject Headings: Diabetes Education, Licensing, Boards and Commissions

(1) Provide a brief summary of:

(a) What this administrative regulation does: The regulation establishes the process to renew and reinstate a license and place a license into inactive status.

(b) The necessity of this administrative regulation: This regulation is necessary because it explains how a licensee can renew his license before it expires, reinstate the license once it has expired and place it into an inactive status

(c) How this administrative regulation conforms to the content of the authorizing statutes: The Board is given the authority to establish administrative regulations for the licensing of diabetes educators

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation sets forth the process to renew and reinstate a license and place a license into inactive status

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendment updates the MIR; establishes requirements related to returning to active status from inactive status, including a possible interview by the board; and clarifies the permit status relates to apprentice diabetes educators.

(b) The necessity of the amendment to this administrative regulation: The amendment is necessary to update the materials incorporated by reference, provide requirements to safeguard the public when an inactive licensee returns to active status, and to clarify that permit status relates to apprentice diabetes educators.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 309.331 authorizes the board to promulgate administrative regulations to carry out and enforce KRS 309.325 to 309.339 and to issue renewals; and KRS 309.335 authorizes the board to issue reinstatements, including returning from inactive status.

(d) How the amendment will assist in the effective administration of the statutes: The amendment will assist in the effective administration of the statutes by updating the forms to include the statutory and regulatory authority for the provisions of the form, among other things, to delineate the standards for reactivation of an inactive license, and to clarify the permit is for an apprentice diabetes educator.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: There are currently 244 credential holders and two (2) inactive credential holders.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment: Applicants will have to complete the renewal or reinstatement form.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): The fee for renewal set in 201 KAR 45:100 is \$50.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): License and permit holders will be able to renew or reinstate their credential.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: No new costs will be incurred by the changes.

(b) On a continuing basis: No new costs will be incurred by the changes.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment: The board's operation is funded by the fees paid by licensees and applicants.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: There is no increase in fees or funding necessary to implement this amendment.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This administrative regulation does not establish fees but there is a fee applied that is set in a separate regulation for renewal and reinstatement.

(10) TIERING: Is tiering applied? Tiering was not applied because these requirements apply equally to all licensees.